

ASSEMBLY, No. 3703

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Permits construction of agricultural labor housing on preserved farms that board horses.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the construction of agricultural labor housing
2 on preserved farmland and supplementing P.L.1983,
3 c.32 (C.4:1C-11 et al.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. Notwithstanding the provisions of any other law, rule, or
9 regulation, or any farmland preservation deed restriction, to the
10 contrary, a person who owns preserved farmland and who engages
11 in the boarding of horses on the preserved farmland may construct a
12 residential dwelling for the housing of agricultural labor employed
13 on the premises for the purposes of supervising and tending to the
14 horses. A landowner shall obtain the approval of the holder of the
15 development easement and the committee prior to constructing a
16 residential dwelling pursuant to this section. The committee shall
17 ensure that the residential dwelling is sized appropriately based on
18 the landowner's labor needs, and may impose any other reasonable
19 conditions on the construction of the residential dwelling as the
20 committee deems necessary.

21 b. For the purposes of this section, "preserved farmland" means
22 land on which a development easement was conveyed to, or
23 retained by, the committee, a board, a county, a municipality, or a
24 qualifying tax exempt nonprofit organization pursuant to the
25 provisions of section 24 of P.L.1983, c.32 (C.4:1C-31), section 5 of
26 P.L.1988, c.4 (C.4:1C-31.1), section 1 of P.L.1989, c.28 (C.4:1C-
27 38), section 1 of P.L.1999, c.180 (C.4:1C-43.1), sections 37 through
28 40 of P.L.1999, c.152 (C.13:8C-37 through C.13:8C-40),
29 P.L.2016, c.12 (C. 13:8C-43 et seq.), or any other State law enacted
30 for farmland preservation purposes.
31

32 2. This act shall take effect immediately.
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35 STATEMENT

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37 This bill would permit the construction of agricultural labor
38 housing on preserved farms that board horses.

39 Under existing regulation, an owner of preserved farmland is
40 permitted to build structures for the housing of agricultural labor
41 employed on the premises, with the permission of the development
42 easement holder and the State Agriculture Development Committee
43 (SADC). However, the SADC will only grant this approval if it
44 determines that the proposed construction would have a positive
45 impact on the continued use of the premises for agricultural
46 production. The SADC has not granted this permission to persons
47 who engage in the boarding of horses because, according to the
48 SADC, horse boarding, unlike horse breeding, does not constitute

1 “agricultural production.” Horse boarding operations, which are
2 essential to the equine industry in the State, often require 24/7
3 supervision for a variety of health and safety reasons and, thus,
4 require agricultural labor housing for employees.

5 This bill would permit a person who owns preserved farmland
6 and who engages in the boarding of horses on the preserved
7 farmland to construct a residential dwelling for the housing of
8 agricultural labor employed on the premises for the purposes of
9 supervising and tending to the horses. A landowner would have to
10 obtain the approval of the holder of the development easement (a
11 county agriculture development board, county, municipality, or
12 nonprofit organization, if not the SADC) and the SADC prior to
13 constructing the residential dwelling. The committee would ensure
14 that the residential dwelling is sized appropriately based on the
15 landowner’s labor needs, and could impose other reasonable
16 conditions on the construction as it deems necessary.